

REMARKS

Basis for the amendment to claim 1 may be found in original claim 2.

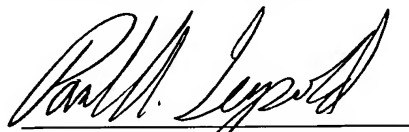
In paragraph 2 of the Office Action claims 1, 2, 5, and 7-16 stand rejected under 35 USC 103 as being unpatentable over Bermel et al. (355) in view of Moore Jr. et al. (171). The Examiner states that Bermel discloses an ink jet recording method and element comprising a support, a base layer and an image receiving layer. The Examiner further states that Bermel discloses an image receiving layer containing particles which may include cationic silica particles aggregated up to 300 nm. The image receiving layer of Bermel is stated to contain polymeric material and the support may be opaque or transparent. The Examiner states that the Moore Jr. et al. reference is directed to preparation of stable positively charged alumina coated silica. The Examiner states it is well-known in the art that treatment with alumina is a way to cationize silica which naturally carries a negative charge. The method involves treating colloidal silica with a stabilizer and a basic aluminum salt. The Examiner states that from the materials and method steps set forth by the prior art the silica of the reference will inherently be shelled with a polymeric aluminosilicate complex as recited by the instant claims. The Examiner states that the ratio of shell-to-core would be obvious and that it would be obvious to include these particles in an inkjet recording element. This rejection is respectfully traversed.

As stated by the Examiner, Bermel discloses an ink jet recording method and element comprising a support and a base layer and an imaging layer. The imaging layer contains particles which may include cationic silica particles aggregated up to 300 nm. However, Bermel does not have a disclosure or suggestion of core shell particles. The Bermel particles are not shelled and while the particles may be aluminosilicates; Bermel does not disclose or suggest any core shell particles, much less the core shell particles having a shell of polymeric aluminosilicate complex of the formula given in the independent claim 1. Moore discloses a process for preparing alumina coated silica sols. There is no disclosure suggestion in Moore et al. that core shell particles be formed with a polymeric aluminosilicate complex on the surface. Even if the particles of Moore Jr. were considered to be core shell there is no teaching or suggestion that the

process would result in a polymeric aluminosilicate complex. Moore puts an alumina on the surface. Polymeric aluminosilicate complex such as claimed is a compound not a ratio of materials as suggested by the Examiner. Moore, at best, discloses a silica core with an alumina shell. Further, there is no disclosure or suggestion to combine the teachings of Moore and Bermel as there is no suggestion of their combination. The material of Moore does not appear to have any suggested use disclosed in the patent. There is no teaching suggestion to select one of the many materials set forth by Bermel et al. and shelled by any technique much less that of Moore et al. The Examiner states "From the materials and method steps set forth by the prior art, the silica of the reference will inherently be shelled with a polymeric aluminosilicate complex as recited by the instant claims.". This statement is respectfully traversed as coating of silica with alumina will not automatically result in a polymeric aluminosilicate complex as recited in the claims. Therefore, it is respectfully requested that the rejection be reconsidered and withdrawn.

Therefore, it is respectfully requested that the rejection under 35 USC 103 be reconsidered and withdrawn and that in early Notice of Allowance be issued in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul A. Leipold", written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.